

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: DEFENDANTS NEXGEN KNEE)	
IMPLANT PRODUCTS LIABILITY)	MDL NO. 2272
LITIGATION)	
)	
This Document Relates to All Cases)	Master Docket Case No. 1:11-cv-05468
)	
)	Honorable Rebecca Pallmeyer

DEFENDANTS' MOTION FOR A PROTECTIVE ORDER

The defendants in this multidistrict litigation (“MDL”) respectfully move for an order, pursuant to Fed. R. Civ. Proc. 26(c), to protect Zimmer¹ and nonparties from discovery that does not concern the products at issue in MDL-2272, and in support of this motion state as follows:

1. The plaintiffs have, through Requests For Production and subpoenas to nonparties, sought to discover documents and information outside the scope of the products at issue in MDL-2272.

2. Because the permissible scope of discovery impacts multiple requests and is likely to continue to be a source of disagreement among the parties, Zimmer respectfully requests that the Court consider this issue now, and further requests that the Court hear this motion at the status conference scheduled for February 24, 2012.

3. In support of its motion, Zimmer submits simultaneously with this motion a memorandum in support.

¹ For purposes of this motion, "Zimmer" includes Zimmer, Inc., Zimmer Holdings, Inc., Zimmer Surgical, Inc., f/k/a Zimmer Orthopaedic Surgical Products, Inc., Wilson/Phillips Holdings, Inc., d/b/a Zimmer Wilson/Phillips, Orthopaedic Technologies, LLC, d/b/a Zimmer Tri-State (incorrectly named as (1) Zimmer Tri-State, d/b/a Tri-State Orthopaedic, (2) Zimmer Tri-State, d/b/a Zimmer, Inc., and/or (3) Zimmer Tri-State, d/b/a Tri-State Orthopedic), K. Michael Melia, d/b/a Zimmer Melia & Associates, Inc. (incorrectly named as Zimmer Melia & Associates, Inc.), Zimmer Orthobiologics, Inc., and Zimmer US, Inc.

4. Pursuant to LR37.2, counsel for Zimmer states that Andrea Roberts Pierson conferred by telephone on January 30, 2012, at approximately 10:00 a.m. with counsel for the plaintiffs, Timothy Becker and James Ronca, in an attempt to resolve the disputes set forth in this motion.

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By: /s/Joseph H. Yeager, Jr.

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CERTIFICATE OF SERVICE

I certify that on February 7, 2012, a copy of the foregoing Defendants' Motion For A Protective Order was filed electronically. Parties may access this filing through the Court's system. I further certify that on February 7, 2012, a copy of the foregoing Defendants' Motion For A Protective Order was sent by first-class United States mail, postage prepaid, upon the following:

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